

Section 8: Corrective Action and Serious Deficiency

I. Corrective Action Plan

The Sponsor places a Provider on corrective action as indicated in the Sponsor/Provider Agreement in accordance with federal and state regulation, guidance and policy and in accordance with this management plan.

The Sponsor has a written Corrective Action Plan (CAP) procedure that at a minimum addresses the following:

1. The method of documentation of the non-compliance issue(s) supporting the Sponsor's decision to place the Provider on Corrective Action per SH MT CACFP 2005-10 Rev 2;
2. That a CAP specifically identifies the non-compliance issue(s), how the provider is to correct the non-compliance issue(s), and the due date, usually by the next DCH visit, for the completion of the CAP;
3. CAP must be tracked on MT Sponsor Monitoring form;
4. An assurance that the Sponsor exhausts all corrective action methods and provides technical assistance to the Provider before declaring a Provider seriously deficient; and,
5. If the provider does not complete the corrective action required by the sponsor, then the sponsor will issue a Serious Deficiency to that provider.

The Sponsor's Written Corrective Action Plan Procedure forms part of the management plan and is submitted for State agency approval as Attachment KK.

II. Serious Deficiency Declaration

The Sponsor declares a Provider to be Seriously Deficient (SD) as indicated in the Sponsor/Provider Agreement in accordance with federal and state regulation, guidance and policy and in accordance with the management plan.

The Sponsor issues a Corrective Action Plan that if followed, will correct the Serious Deficiency[ies], as follows:

1. The method of documentation of the non-compliance issue(s) supporting the Sponsor's decision to declare the Provider to be Serious Deficient per MT CACFP Policy 2005-10 Rev 2;

2. A Corrective Action Plan (CAP) that specifically identifies the serious deficiency[ies] how the provider may correct the serious deficiency[ies], and a deadline date, not to exceed 30 days, for the completion of the CAP;
3. An assurance that the Sponsor requires the Provider to fully and permanently correct the serious deficiency[ies] in order to continue participation in the CACFP;
4. A method of tracking the Provider's response to the Corrective Action Plan; and
5. An assurance that, if the Sponsor intends to Terminate and Disqualify a Provider, that the Provider is supplied with documentation explaining their Administrative Review (Appeal) Rights.

The Sponsor's Serious Deficiency Procedure forms part of the management plan and is submitted for State agency approval as Attachment LL.

All documentation related to Corrective Actions and Serious Deficiencies must be documented, retained on file and readily available for Federal or State agency review. A copy of all Serious Deficiency declarations and the corrective action plans issued in connection with them must be forwarded to the State agency by the Sponsor when a Serious Deficiency is issued and when it is removed.

9: Confidential Records

1. The Sponsor keeps all Provider information confidential and in a secure location.
2. The Sponsor ensures the confidentiality of protected health information.